

OCT 13 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Byoung-Sun Na et al.
Title: Liquid Crystal Display And Substrate Thereof
Application No.: 09/852,717 Filing Date: May 11, 2001
Examiner: Fazli ERDEM Group Art Unit: 2875
Docket No.: AB-1760 US Confirmation No. 5198

Irvine, California
October 13, 2006

Via Facsimile to (571) 273-8300

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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1) REPLY TO ELECTION/RESTRICTION REQUIREMENT

Dated: 10-13-, 2006

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Number of pages (including this sheet): 3

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App. No.: 09/852,717
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 Filed: 05/11/2001
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Conf. No.: 5193
 Examiner: Fazli Erdem
 Art Unit: 2875
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Mail Stop: Amendment
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REPLY TO ELECTION/RESTRICTION REQUIREMENT

Sir:

In Reply to the Election/Restriction Requirement of 09/13/2006, the Applicant provisionally elects Group I, Claims 1-6 and 11-31 for prosecution, with traverse, for the reasons stated in the following Remarks.

REMARKS

In the Election/Restriction Requirement of 09/13/06, the Examiner restricted this application to one of two purportedly "distinct" inventions under 35 U.S.C. 121, and required an election between them for prosecution. This Election/Restriction Requirement is respectfully traversed, for the following reasons.

35 U.S.C. 121 provides that, "If two or more independent and distinct inventions are claimed in one application, the Director may require the application to be restricted to one of the inventions." (Emphasis added.)

However, the "Director" has interpreted the plain meaning of the above language to mean "two or more independent or distinct inventions." (MPEP 803.01, emphasis added.)

In the 09/13/06 Election/Restriction Requirement, the Examiner concedes that the inventions claimed in the present application are "related," (*i.e.*, not independent), as "process of making and product made," but contends they are distinct because, "In the instant case in [dependent] claim 34, [the] black matrix and the protrusion could be formed in two separate photolithography